

# EXHIBIT

## A

**EXHIBIT A**

Court of Common Pleas of Philadelphia County  
Trial Division**Civil Cover Sheet**

For Prothonotary Use Only (Docket Number)

**NOVEMBER 2021****001377**

E-Filing Number: 2111034563

PLAINTIFF'S NAME JEANNE JEAN. CHARLES		DEFENDANT'S NAME WAL-MART STORES, EAST, L.P.	
PLAINTIFF'S ADDRESS 3622 BELLAIRE PLACE PHILADELPHIA PA 19154		DEFENDANT'S ADDRESS 702 SW 8TH STREET BENTONVILLE AR 72716	
PLAINTIFF'S NAME		DEFENDANT'S NAME WAL-MART STORES, INC.	
PLAINTIFF'S ADDRESS		DEFENDANT'S ADDRESS 702 SW 8TH STREET BENTONVILLE AR 72716	
PLAINTIFF'S NAME		DEFENDANT'S NAME WAL-MART STORES, EAST, INC.	
PLAINTIFF'S ADDRESS		DEFENDANT'S ADDRESS 702 SW 8TH STREET BENTONVILLE PA 72716	
TOTAL NUMBER OF PLAINTIFFS 1	TOTAL NUMBER OF DEFENDANTS 3	COMMENCEMENT OF ACTION <input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Petition Action <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Writ of Summons <input type="checkbox"/> Transfer From Other Jurisdictions	
AMOUNT IN CONTROVERSY <input type="checkbox"/> \$50,000.00 or less <input checked="" type="checkbox"/> More than \$50,000.00	COURT PROGRAMS <input type="checkbox"/> Arbitration <input type="checkbox"/> Mass Tort <input type="checkbox"/> Commerce <input type="checkbox"/> Settlement <input type="checkbox"/> Jury <input type="checkbox"/> Savings Action <input type="checkbox"/> Minor Court Appeal <input type="checkbox"/> Minors <input checked="" type="checkbox"/> Non-Jury <input type="checkbox"/> Petition <input type="checkbox"/> Statutory Appeals <input type="checkbox"/> W/D/Survival <input type="checkbox"/> Other:		
CASE TYPE AND CODE 2S - PREMISES LIABILITY, SLIP/FALL			
STATUTORY BASIS FOR CAUSE OF ACTION			
RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)		IS CASE SUBJECT TO COORDINATION ORDER? YES    NO	
<b>FILED</b> <b>PRO PROTHY</b> <b>NOV 17 2021</b> <b>S. RICE</b>			

## TO THE PROTHONOTARY:

Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: JEANNE JEAN CHARLES

Papers may be served at the address set forth below.

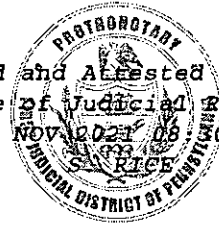
NAME OF PLAINTIFF'S/PETITIONER'S/APPELLANT'S ATTORNEY TYLER TOMLINSON		ADDRESS 777 TOWNSHIP LINE ROAD SUITE 120 YARDLEY PA 19067	
PHONE NUMBER (267) 907-9600	FAX NUMBER (267) 907-9659		
SUPREME COURT IDENTIFICATION NO. 76678		E-MAIL ADDRESS ttomlinson@stark-stark.com	
SIGNATURE OF FILING ATTORNEY OR PARTY TYLER TOMLINSON		DATE SUBMITTED Wednesday, November 17, 2021, 08:30 am	

FINAL COPY (Approved by the Prothonotary Clerk)

**STARK & STARK**

**By: R. Tyler Tomlinson, Esquire**  
**Attorney I.D. #76678**  
**777 Township Line Road, Suite 120**  
**Yardley, PA 19067**  
**Telephone: 267-907-9600**  
**Fax: 267-907-9659**  
**Email: [ttomlinson@stark-stark.com](mailto:ttomlinson@stark-stark.com)**

**Filed and Attested by the**  
**Attorney for Plaintiffs Office of Judicial Records**  
**17 NOV 2021 08:10 am**



Jeanne Jean Charles  
3622 Bellaire Place  
Philadelphia, PA 19154

Plaintiff

v.

WAL-MART STORES, EAST, L.P.  
702 SW 8<sup>th</sup> Street  
Bentonville, AR 72716

and

WAL-MART STORES, INC.  
702 SW 8<sup>th</sup> Street  
Bentonville, AR 72716

and

WAL-MART STORES, EAST, INC.  
702 SW 8<sup>th</sup> Street  
Bentonville, AR 72716

Defendants

: IN THE COURT OF COMMON PLEAS  
: OF PHILADELPHIA COUNTY, PA  
: CIVIL DIVISION

: NO.

: NON JURY TRIAL DEMANDED

**NOTICE TO DEFEND**

**NOTICE**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may be entered against you by the court without further notice for any money claims in this complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Lawyer Referral and Information Service  
1101 Market Street, 11th Floor  
Philadelphia, PA 19107-2911  
(215) 238-6333

**AVISO**

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademias, la corte puede decidir a favor del demandante y requiere que usted compla con todas las provisions de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

Lawyer Referral and Information Service  
1101 Market Street, 11th Floor  
Philadelphia, PA 19107-2911  
(215) 238-6333

**STARK & STARK, P.C.**

**BY: Tyler Tomlinson, Esquire, Atty I.D. #76678**

*Attorneys for Plaintiff*

**777 Township Line Road, Suite 120**

**Yardley, PA 19067**

**(267) 907-9600 telephone**

**(267) 907-9659 fax**

**TTomlinson@stark-stark.com**

Jeanne Jean Charles

3622 Bellaire Place

Philadelphia, PA 19154

Plaintiff

v.

WAL-MART STORES, EAST, L.P.

702 SW 8<sup>th</sup> Street

Bentonville, AR 72716

and

WAL-MART STORES, INC.

702 SW 8<sup>th</sup> Street

Bentonville, AR 72716

and

WAL-MART STORES, EAST, INC.

702 SW 8<sup>th</sup> Street

Bentonville, AR 72716

Defendants

: IN THE COURT OF COMMON PLEAS

: OF PHILADELPHIA COUNTY, PA

: CIVIL DIVISION

:

: NO.

:

:

:

:

:

:

:

:

: NON JURY TRIAL DEMANDED

:

:

:

:

**CIVIL ACTION COMPLAINT**  
**PREMISES LIABILITY**

1. Plaintiff, Jeanne Jean Charles, is an adult individual residing in the Commonwealth of Pennsylvania at 3622 Bellaire Place, Philadelphia, PA 19154.

2. Defendants, Wal-Mart Stores, East, L.P., Wal-Mart Stores, Inc., and Wal-Mart Stores, East, Inc. (hereinafter collectively referred to as "Wal-Mart"), are corporations, fictitious names, or similar entities qualified to do business in the City of Philadelphia and the Commonwealth of Pennsylvania, with a principal place of business at 702 SW 8<sup>th</sup> Street, Bentonville, Arkansas, 72716.

3. Defendants regularly conduct business in Philadelphia County and are subject to venue here pursuant to Pennsylvania Rule of Civil Procedure 2179.

4. At all times material to Plaintiff's cause of action, Wal-Mart Defendants were the owners, operators, possessors, maintainers and/or in control of the Wal-Mart Store located at in Philadelphia, PA (hereinafter "subject Wal-Mart Store").

5. All of the acts alleged to have been done or not to have been done by the Defendants were done or not done by the Defendants, their agents, servants, workmen and/or employees acting within the course and scope of their employment and authority for and on behalf of said Defendants.

6. On or about December 10, 2020, Plaintiff, was a business invitee of Defendants and the subject Wal-Mart Store and, while exercising due care and caution for her own safety, was walking through the store shopping when suddenly and without warning Plaintiff was caused to slip, trip, stumble and fall due to a large spill of a foreign substance on Defendants' floor in their aisles.

7. As a result of the aforesaid, Plaintiffs sustained serious, painful and permanent injuries as more particularly described herein.

**Count I**  
**Plaintiff vs. Defendants**

8. Plaintiff hereby incorporates the above referenced paragraphs, as fully as though the same were set forth here at length.

9. The negligence and carelessness of the Defendants consisted of the following:

- (a) that although Defendants knew, or in the exercise of reasonable care should have known that such a dangerous and/or hazardous condition existed, Defendants failed to warn Plaintiffs through the posting of warning signs, and gave no notice whatsoever to customers and potential customers including Plaintiffs, of the presence of the dangerous and/or hazardous condition;
- (b) failing to provide a safe premises for patrons such as Plaintiffs under the circumstances then and there existing;
- (c) failing to provide safe and clear aisles at the subject Wal-Mart Store,

particularly in the aisles;

- (d) failing to properly supervise maintenance activities on the premises;
- (e) failing to identify and remedy the dangerous condition posed by the dangerous conditions and the subject Wal-Mart Store in a timely manner;
- (f) failing to take steps to secure or otherwise remedy the dangerous condition posed by the foreign substance in the subject Wal-Mart Store;
- (g) failing to warn Plaintiffs, of the existence of the dangerous condition posed by the foreign substance, which Defendants caused and/or allowed to remain in their aisle at the subject Wal-Mart Store;
- (h) failing to inspect the premises of the subject Wal-Mart Store to ensure that the dangerous condition posed by the foreign substance in their aisle did not exist on the premises to the point that this would become a dangerous and/or hazardous condition;
- (i) allowing the common aisles of the subject Wal-Mart Store to become and remain in a dangerous and/or hazardous condition for unreasonable amounts of time;
- (j) failing to use reasonable and prudent care to keep the premises at the subject Wal-Mart Store in a safe condition;
- (k) failing to have the premises at the subject Wal-Mart Store inspected at reasonable intervals;
- (l) allowing a dangerous and/or hazardous condition to exist on and in the premises of the subject Wal-Mart Store;
- (m) failing to instruct their employees, statutory employees and/or agents as to the proper care, maintenance and control of the premises of the subject Wal-Mart Store;
- (n) allowing the dangerous condition posed by the spill in the aisle to exist at the subject Wal-Mart Store;
- (o) failing to have adequate policies and procedures in place to ensure that the premises of the subject Wal-Mart Store were kept free from hazardous and/or dangerous conditions during the period of time when the public was invited and/or permitted to walk and/or traverse the premises;
- (p) failing to ensure that its agents, servants and/or employees followed any existing policies and procedures to ensure that the premises of the subject Wal-Mart Store were kept free from hazardous and/or dangerous conditions during the time when the public was invited and/or permitted to

walk and/or traverse through the premises; and

- (q) failing to keep the property owned, occupied, maintained and/or controlled by Defendants, and held open for invitees, in a reasonable and safe condition in violation of various codes, laws and ordinances, including but not limited to applicable Philadelphia codes and ordinances.

10. Defendants knew or should and could have known of the dangerous condition then existing on their premises.

11. Plaintiffs' fall and resultant injuries were caused by the aforesaid acts of negligence on the part of Defendants or their agents, servants and/or employees, who failed to utilize reasonable care in the maintenance of the subject Wal-Mart Store.

12. As a result of the aforesaid, Plaintiff, sustained injuries to her back, neck, head and knees, together with a severe shock to her nerves and nervous system, some or all of which Plaintiff has been advised are or may be permanent in nature.

13. As a result of the accident aforesaid, the Plaintiff has undergone great physical pain and mental anguish and she may continue to endure the same for an indefinite time in the future to her great detriment and loss.

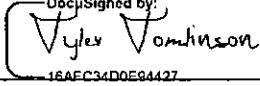
14. As a further result of the accident aforesaid, the Plaintiff has been compelled to expend large sums of money for medicine and medical care in an effort to effect a cure of her injuries, and she may be compelled to continue to expend such sums for the same purposes for an indefinite time in the future, to her great detriment and loss.

15. As a result of the accident aforesaid, the Plaintiff has been unable to attend to her usual and daily duties and occupation and she will be unable to attend to the same for an indefinite time in the future, to her great detriment and loss.

16. As a further result of the aforesaid, Plaintiff has suffered a loss and depreciation of her earnings and earning power, and she may continue to suffer the same for an indefinite time in the future, to her great detriment and loss.

WHEREFORE, Plaintiff demands that judgment be entered against the Defendants, for damages, including, but not limited to, delay damages, interest, and costs of suit for an amount in excess of \$50,000.00, and any further relief as the Court may deem just and proper.

**STARK & STARK**  
**A Professional Corporation**

By:  DocuSigned by:  
16AEC34D0E94427  
**TYLER TOMLINSON, ESQUIRE**  
*Attorney for the Plaintiff*



VERIFICATION

I, Jeanne Jean Charles, verify that the statements made in the foregoing COMPLAINT are true and correct to the best of our knowledge, information, and belief. I, understand that false statements herein are made subject to the penalties of 18 Pa.C.S.A. §4904 relating to unsworn falsifications to authorities.

DocuSigned by:  
  
34DEF194FF6745B  
JEANNE JEAN CHARLES

ORIGIN ID: N00KA (267) 907-9600  
JENNIFER WALKER

777 TOWNSHIP LINE ROAD  
SUITE 120  
YARDLEY, PA 19087  
UNITED STATES US

SHIP DATE: 17NOV21  
ACTWGT: 1.00 LB  
CAD: 1044029/MET4400

BILL SENDER

TO LEGAL DEPARTMENT  
WAL-MART STORES EAST, L.P.  
702 SW 8TH STREET

BENTONVILLE AR 72716

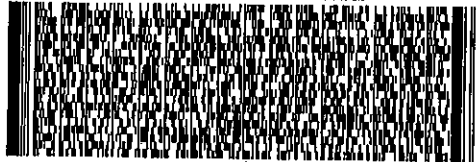
(267) 907-9825

REF: 070820-00001

INV:

DEPT:

11/17/21 9:30 AM

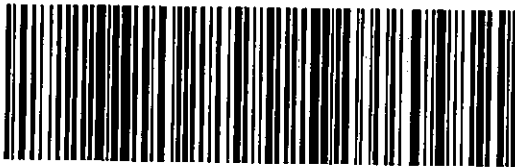


THU - 18 NOV 11:30A  
PRIORITY OVERNIGHT

TRK# 7752 3469 8886  
0201

**XA ROGA**

72716  
AR-US TUL



11/17/21, 9:30 AM

◀ Insert shipping  
document here.